

MAY 14 2007

U.S. Serial No. 09/836,378  
Attorney Docket No. PD-200144**REMARKS**

The March 13, 2007, Office action rejected claims 1, 2, 4, 13, 19 and 20 as unpatentable over Bellamy (US 6,209,024) in view of Garahi (US 6,674,448), claims 3,5,6,7,10,11,15,16,17, and 18 as unpatentable over Bellamy in view of Garahi and Browne (WO 92/22983), and claims 8, 9, 12, and 14 as unpatentable over Bellamy in view of Garahi and Vallone (US 6,642,939).

Claims 1-20 are pending at issue, with claim 1 being independent. As explained below, it is respectfully submitted that all pending claims are in condition for allowance and favorable reconsideration is respectfully requested.

Claim 1 is directed to a multi-function digital video recorder that digitally stores content received through a tuner. The recited digital video recorder includes a memory that stores selected available content from the tuner and selectable status parameters indicating functionality of said digital video recorder. These parameters are derived from the content from the tuner which is stored on the video recorder and the functions associated with the recorder.

Bellamy discloses a television set top box that allows a user to operate a television in conjunction with various computer functions such as Internet access. Bellamy only allows a user to obtain limited information relating to television operation. The Office action alleges that Bellamy discloses that the set top box has the capability of recording programs and is therefore a set top box recorder. However, the applicants respectfully submit that this argument is not proper and, therefore, the rejection based on Bellamy is misplaced.

Contrary to the Office action's assertion and as was discussed during the examiner interview on April 16, 2007, the set top box 5 in Bellamy is first and foremost not a digital

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video recorder as recited in claim 1 and does not include memory for storing content received through the tuner. In fact, the set top box (ETSB) 5 of Bellamy does not have any capability to digitally record content received through the tuner. Bellamy describes the set top box 5 as providing basic capabilities of a conventional set top box (Col. 3, ll. 18-22), with the additional capability of forwarding commands to a personal computer. (Col. 3, ll. 24-28). Bellamy suggests that the set top box may be an enhanced video cassette recorder (EVCR), but does not clarify what might be "enhanced" about such a video cassette recorder. A video cassette recorder is an analog recording device that does not include a memory for storing content received through a tuner. There is no suggestion in Bellamy that digital video recording capabilities could or should be provided by the set top box.

The only memory noted by the Office action, the DRAM element of set top box 5, only stores pop-up window information that is taken from a video window link 8. (Col. 4, ll. 38-43; 49-51). There is no indication that the DRAM memory enables the set top box to be a digital video recorder for storing available content received through a tuner.


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For at least these reasons, it is submitted that the pending claims (1-20) are in condition for allowance. The applicants respectfully request that the pending claims be allowed or a non-final Office action addressing the described deficiencies of the present rejection be issued. If, for any reason, the examiner is unable to allow the application in the next Office action, the examiner is encouraged to telephone the undersigned attorney at the telephone number listed below.

Respectfully submitted,

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